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8 Attorneys for Defendants and Counterclaimants  
O-Net Communications (Shenzhen) Limited,  
9 Multiwave Digital Solutions, Inc., and  
Chunmeng Wu, an individual  
10

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 Oplink Communications, Inc.,

14 Plaintiff,

15 v.

16 O-Net Communications (Shenzhen)  
17 Limited,  
Multiwave Digital Solutions, Inc.,  
18 Chunmeng Wu, an individual,

19 Defendants.  
20  
21

Case No. CV 07-4582 MJJ

**STIPULATION AND ~~[PROPOSED]~~ ORDER  
RE-SETTING HEARING DATE AND  
BRIEFING SCHEDULE RE OPLINK  
COMMUNICATIONS' MOTION TO STRIKE  
DEFENDANTS' AFFIRMATIVE  
DEFENSES AND DISMISS THEIR  
COUNTERCLAIMS**

22  
23 IT IS HEREBY STIPULATED AND AGREED by and between plaintiff Oplink  
24 Communications and defendants O-Net Communications (Shenzhen), Limited, Multiwave Digital  
25 Solutions, Inc., and Chunmeng Wu, through their counsel of record, that the briefing schedule and  
26 hearing date for Plaintiff's Motion to Strike Defendants' Affirmative Defenses and Dismiss their  
27 Counterclaims filed on October 9, 2007 (Dkt. # 19), shall be re-set as follows:  
28

Defendants' Opposition to November 6, 2007  
Plaintiff's Motions Shall Be Due:

Plaintiff's Reply to Defendants' November 13, 2007  
Opposition to Plaintiff's Motion  
Shall Be Due:

Hearing on Plaintiff's Motion: November 27, 2007, 9:30 a.m.

There is good cause for re-setting Plaintiff's Motion. Defendants' Motion to Dismiss and Motion to Strike filed on September 17, 2007 has already been re-noticed for hearing on the same date and time—November 27, 2007 at 9:30 a.m. ~~In addition, the case management conference in this matter is also currently set for the same date (at 2:00 p.m. rather than 9:30 a.m.).~~

The case management conference is continued to Tuesday, 01/22/08 at 2:00 PM.

Respectfully submitted,

Dated: October 24, 2007

FENWICK & WEST LLP

By: \_\_\_\_\_ / s / Heather N. Mewes

Attorney for Defendants and Counterclaimants  
O-Net Communications (Shenzhen) Limited  
and Multiwave Digital Solutions, Inc., and  
Chunmeng Wu, an individual

Dated: October 24, 2007

WHITE & CASE LLP

By: \_\_\_\_\_ / s / Sam O'Rourke

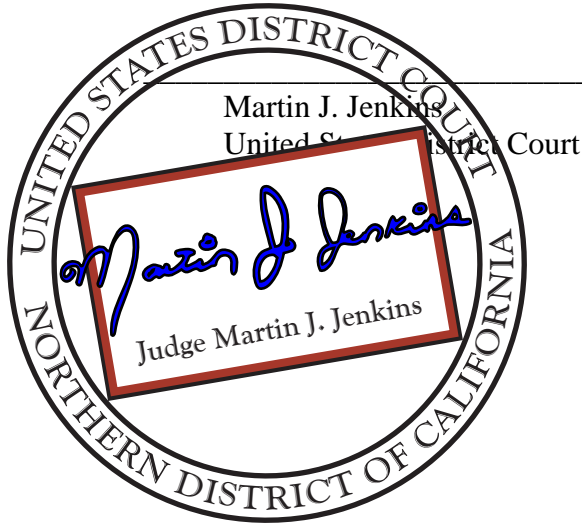
Attorneys for Plaintiff  
Oplink Communications, Inc.

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
MOUNTAIN VIEW

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 10/30/07



FENWICK & WEST LLP  
ATTORNEYS AT LAW  
MOUNTAIN VIEW

Attestation

I, Heather N. Mewes, attest that I have obtained the physical signature of each of the other signatories to this Stipulation, reflecting their concurrence in the filing of this document; and will maintain records to support this concurrence until one year after final resolution of this action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 24th day of October 2007 at San Francisco, California.

By: \_\_\_\_\_/s/ Heather Mewes

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FENWICK & WEST LLP  
ATTORNEYS AT LAW  
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